IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Writ Petition No. 1044 of 2004(M/B)

1. Rajesh Kumar S/o Surendra Kumar
   R/o Phillaur, Distt. Jalandhar (Punjab)
2. Smt. Sumitra Devi W/o Surendra Kumar
3. Deepak S/o Surendra Kumar
   R/o House No. 25/3 Moh. Bhandera,
   Phillaur, Ditt. Jalandhar (Punjab)
4. Sunita D/o Surendra Kumar W/o Baldev
5. Baldev Raj S/o Harbansh Lal
   R/o Basti Nan Jalandhar (Punjab) …… Petitioners

Versus

State of Uttaranchal & others. ……. Respondents

Mr. Dharamveer, learned counsel on behalf of the petitioners.
Learned Government Advocate for the State

Hon. V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

1. Heard Mr. Dharamveer, learned senior counsel on behalf of the petitioners and learned Government Advocate for the State.

2. The learned prosecution does not propose to arrest the petitioners in view of the earlier litigation pending under section 9 of the Hindu Marriage Act. However, in case, the Investigating Agency proposes to arrest the petitioners or anyone of them, then 8 days' prior notice shall be given to them.

3. With this observation, the writ petition is disposed of.

(Irshad Hussain, J.) **(V.S. Sirpurkar, C.J.)**
26.10.2004 **26.10.2004**

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